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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on _____

Signature _____

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Application Number	Filed
10/728685	12/5/2003

First Named Inventor: Christopher W Dix

Art Unit	Examiner
2838	Matthew Nguyen

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).
Note: No more than five (5) pages may be provided.

I am the

- ☐ applicant/inventor.
- ☑ assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☐ attorney or agent of record. Registration number _____
- ☐ attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34 _____

Mark Becker
Signature

Mark L Becker
Typed or printed name

503-268-8629
Telephone number

10/4/06
Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor:	Christopher W. Dix
Application No.:	10/728,685
Filed:	12/05/2003
For	POWER SUPPLY REMOTE VOLTAGE SENSING
Examiner:	Matthew Van Nguyen
Art Unit:	2838
Attorney Docket No.	M-15299 US

PRE-APPEAL BRIEF REQUEST FOR REVIEW ATTACHMENT

Plankensteiner Does Not Anticipate Claims 1, 2, 6, 7, 9, and 25

Claim 1 appears below. To aid in understanding the differences between the claim and Plankensteiner, applicant has added reference numeral to the claim to show how it reads on the embodiment of the invention shown in **Fig. 2** of the application:

> 1. A circuit comprising:
> a first transistor **(202)** adapted to connect an output terminal **(112)** of a first power supply **(102)** to a first load **(104)**;
> a second transistor **(204)** adapted to connect a sense terminal **(116)** of the first power supply **(102)** to the first load **(104)**; and
> a controller **(210)** adapted to provide an output signal to the first transistor **(202)** and the second transistor **(204)** to control the first transistor **(202)** and the second transistor **(202)**.

Plankensteiner does not anticipate claim 1 because it does not disclose transistors that connect the power supply and the load in the manner claimed. This can be seen by a close examination of Fig. 4 .of Plankensteiner (on which the Examiner relies) and by a careful reading of Plankensteiner's claim 1. Transistor M_{OUT} (which the Examiner considers the claimed "first transistor") is not adapted to connect the load R_{LOAD} to an output terminal of either power supply in the figure, V_{DD} or V_{EXT}. Similarly, transistor M_{SENSE} (which the Examiner considers the claimed "second transistor") is not adapted to connect an output terminal of power supply V_{DD} to the load R_{LOAD}.

When applicant pointed out these differences to the Examiner, he replied in his final action that "[T]he second transistor (M_{SENSE}) in Fig. 4 of Plankensteiner connects the sense terminal of the power supply (V_{DD}) to the load (R_{LOAD}) through the comparator (356)."

This is not correct. First, there is nothing in Plankensteiner to indicate that V_{DD} has a "sense terminal," as that term is used in claim 1. Second, there is nothing in Plankensteiner indicating that comparator 356 is somehow connected to V_{DD} to thereby influence its operation. To the contrary, the function of V_{DD} is to generate a constant reference current, and that function does not change regardless of the output of the comparator. As stated clearly in Plankensteiner,

the comparator simply generates an "over current" (OC) signal to indicate an over current condition on the output." See col. 4, lines 7-13. Moreover, the Examiner did not address the first difference pointed out by applicant - that transistor M_{OUT} is not adapted to connect the R_{LOAD} to an output terminal of any power supply, be it V_{DD} or V_{EXT}.

For at least these reasons, claims 1, 2, 6, 7, 9 and independent claim 25 (which contains limitations similar to claim 1) are not anticipated by Plankensteiner.

Claims 3, 8, And 10-13 Are Not Unpatentable Over Plankensteiner In View Of Terrien

Independent claim 10 contains limitations similar to those of claims 1 and 25 noted above, limitations not disclosed in Plankensteiner. Terrien adds nothing to Plankensteiner in this respect. Thus these claims are not unpatentable over the two references for at least the reasons given above.

Respectfully submitted,

Date: 10/4/06

By: _____

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